IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.56126 of 2007
MD.QUDDUS & ORS
Versus
THE STATE OF BIHAR
---

4 06-05-2008 Heard learned counsel for the petitioners and also learned APP on behalf of the State.

The petitioners are accused in a case u/ss 395, 397 and 412 of the Indian Penal Code.

The allegation is that the petitioners forcibly entered in the house of informant and on the point of fire arms committed dacoity of Rs. 10,000/- cash, two bags of clothes, nine buffaloes and 20 kg of rice.

It appears that petitioners were apprehended and from their possession nine buffaloes and their infants were recovered.

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Learned counsel submitted that all the petitioners are in custody since 13.9.07 and have no criminal antecedent. He further submitted that in fact nothing has been recovered from their possession. The seizure list is self creation of the police. He submitted that petitioners are residents of neighbouring village and it is not expected that they would commit dacoity without concealing their faces.

In the facts and circumstances of the case, the petitioners, namely, 1. Md. Quddus, 2. Abdul Quddus, 3. Kamaluddin, 4.Md. Zahir, 5. Md. Talik, 6. Md. Ketabul, 7. Md. Sadique, 8 Md. Tajuddin and 9. Md. Paigham are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like

amount each to the satisfaction of Chief Judicial Magistrate, Araria in Forbesganj PS case no. 348/2007.

BKS/ **(M. Saran,J.)**

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